

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

BENJAMIN F. CHAVEZ,

Petitioner,

vs.

**Civ. No. 18-876 JCH/JFR
Cr. No. 16-466 JCH-1**

UNITED STATES OF AMERICA,

Respondent.

**ORDER ADOPTING MAGISTRATE JUDGE'S PROPOSED FINDINGS
AND RECOMMENDED DISPOSITION**

THIS MATTER is before the Court on the Proposed Findings of Fact and Recommended Disposition by United States Magistrate Judge John F. Robbenhaar, filed in associated Civ. No. 18-876 JCH/JFR, October 16, 2019. Doc. 14. Objections were due by no later than November 5, 2019. The parties have not filed any objections. The failure to make timely objections to the Magistrate Judge's Proposed Findings and Recommended Disposition waives appellate review of both factual and legal questions. *U.S. v. One Parcel of Real Property*, 73 F.3d 1057, 1059 (10th Cir. 1996).

IT IS THEREFORE ORDERED that the Magistrate Judge's Proposed Findings and Recommended Disposition (Doc. 67), as filed in Cr. No. 16-466 JCH-1 are **ADOPTED**.

IT IS FURTHER ORDERED that Petitioner's Motion to Vacate under 28 U.S.C. § 2255 (Doc. 60) is **DENIED**, for the reasons set forth in the Proposed Findings and Recommended Disposition.


JUDITH C. HERRERA
United States District Judge